

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

HEADWATER RESEARCH LLC,

Plaintiff,

v.

T-MOBILE USA, INC. and SPRINT
CORP.,

Defendants.

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CASE NO. 2:23-CV-00379-JRG-RSP
(LEAD CASE)


ORDER

Defendants T-Mobile USA, Inc. and Sprint Corp. (collectively, “Defendants”) previously filed a Motion for Summary Judgment of No Pre-Suit Willful Infringement, Indirect Infringement, or Copying (the “Motion”). (Dkt. No. 178.) Magistrate Judge Payne entered a Report and Recommendation recommending granting T-Mobile and Sprint’s Motion with respect to copying by Defendants, but otherwise recommending denying the Motion. (Dkt. No. 312.) T-Mobile and Sprint have now filed Objections (Dkt. No. 330), with Headwater Research LLC filing a Response (Dkt. No. 338).

After conducting a *de novo* review of the briefing on the Motion for Summary Judgment of No Pre-Suit Willful Infringement, Indirect Infringement, or Copying, the Report and Recommendation, and the briefing on T-Mobile and Sprint’s Objections, the Court agrees with the reasoning provided within the Report and Recommendation and concludes that the Objections fail to show that the Report and Recommendation was clearly erroneous. Consequently, the Court **OVERRULES** T-Mobile and Sprint’s Objections, **ADOPTS** the Report and Recommendation, and **ORDERS** that the Motion for Summary Judgment of No Pre-Suit Willful

Infringement, Indirect Infringement, or Copying (Dkt. No. 178) is **GRANTED** as to no copying by Defendants, but is otherwise **DENIED**.

So ORDERED and SIGNED this 24th day of July, 2025.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE